

SENATE BILL 555

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By: **Senator Getty**

Introduced and read first time: February 3, 2012

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Retail Establishments – Use of Toilet Facilities by Customers**

3 FOR the purpose of altering the circumstances under which a retail establishment
4 that has a toilet facility for its employees is required to allow certain customers
5 to use the facility; and generally relating to the use of employee toilet facilities
6 by customers of retail establishments.

7 BY repealing and reenacting, with amendments,
8 Article – Health – General
9 Section 24–209
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2011 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Health – General**

15 24–209.

16 (a) In this section, “customer” means an individual who:

17 (1) Suffers from Crohn’s disease, ulcerative colitis or any other
18 inflammatory bowel disease, or any other medical condition that requires immediate
19 access to a toilet facility; or

20 (2) Utilizes an ostomy device.

21 (b) At the request of a customer, and where a public restroom is not readily
22 available, each retail establishment [with 20 or more employees] that has a toilet

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 facility for its employees shall allow the customer to use the facility **IF THREE OR**
2 **MORE EMPLOYEES OF THE RETAIL ESTABLISHMENT ARE WORKING AT THE TIME**
3 **THE CUSTOMER REQUESTS USE OF THE FACILITY.**

4 (c) Notwithstanding any provision of this section, an employee toilet facility
5 is not to be considered a public restroom.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2012.